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ABSTRACT

The paper presents 99 key terms associated with the provisions of P.L. 94-142 (the Education for All Handicapped Children Act) and weaves them into a conceptual framework to make easy their understanding. A brief overview of the law is offered; attention is given to the selection and validation of terms; a rationale for a conceptual framework for understanding the law is explained; and the proposed framework and terms associated with the inherent concepts are presented. Attention is also given to the implications and possible use of the material in working with different groups concerned with the education of handicapped children. (Author/SBH)

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Public Law 94-142: Ninety-Nine (99) Key Terms Presented in a Conceptual Framework

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Public Law 94-142: Ninety-Nine (99) Key Terms
Presented in a Conceptual Framework

Abstract. Public Law 94-142 was passed by Congress in 1975 to ensure that all handicapped children would be provided a free and appropriate public education in the least restrictive environment. To accomplish this objective it was necessary for the legislation to contain regulations dealing with various aspects of the educational process including administration, identification, evaluation, placement, instruction, and mediation/due process.

It is incumbent upon educators to understand and implement the law to the greatest extent possible. To facilitate such understanding and implementation different media and approaches are being employed to impart knowledge relative to the law.

This presentation presents 99 key terms associated with the provisions of P.L. 94-142 and weaves them into a conceptual framework to make easy their understanding. Procedurally, a brief overview of the law is presented, attention is given to the selection and validation of terms, a rationale for a conceptual framework for understanding the law is given, and the proposed framework and terms associated with the inherent concepts are presented. Attention is also given to the implications and possible use of the material in working with different groups concerned with the education of handicapped children.

Public Law 94-142: Ninety-Nine (99) Key Terms
Presented in a Conceptual Framework

Public Law 94-142, signed into law in November, 1975, was designed to make a comprehensive impact on the education of handicapped children. The law mandates that all handicapped children must be provided a free and appropriate public education in the least restrictive environment.

The nature and intent of Public Law 94-142 is so encompassing that full understanding of its ramifications cannot be taken for granted. It has the potential to greatly enhance the educational lot of handicapped children(Irwin, 1976). Harvey (1978, p. 235) listed the major requirements under the law as including:

1. Extensive child identification procedures
2. Assurance of full service with a detailed timetable
3. Guarantee of due process procedures
4. Regular parent or guardian consultation
5. Maintenance of programs and procedures for comprehensive personnel development including in-service training
6. Assurance that special education is being provided for all handicapped children in each child's least restrictive environment
7. Provision of nondiscriminatory testing and evaluation
8. Policies and procedures that guarantee and protect confidentiality of data and information
9. Maintenance of an individualized education program for each handicapped child
10. Provision and guarantee of a free, appropriate public education at no cost to parents or guardian
11. Assurance of a surrogate to act for any child when the child is a ward of the state

However, unless the mandates of the law are followed, many disabled youngsters will continue to be denied their educational rights as granted by the Congress of the United States(Larsen & Poplin, 1980).

Extensive effort is required in meeting the educational needs of handicapped children. According to Arena(1978), the spirit of P.L. 94-142 calls for parents, school, and where possible, the child, working together for the child. Harvey(1978) furthered the list of those to be involved in the implementation of Public Law 94-142 to include general and special educators and administrators, a myriad of support personnel, and siblings.

Various media and approaches have been employed to provide background information for and understanding of P.L. 94-142. For example, the Exceptional Children journal carried three articles in a series dealing with P.L. 94-142(Ballard & Zettel, 1977; 1978a; 1978b). The format of presentation in each article was question and answer. CEC developed filmstrip-tape material to present an overview of the law(1976).

Attention must be given to personnel development(Saettler, 1976). P.L. 94-142 requires comprehensive manpower development toward the achievement of full educational opportunity for all handicapped children through both inservice and preservice training(Ballard & Zettel, March, 1978). Individuals in need of training include school administrators; both special education and regular classroom teachers; paraprofessionals; specialists; and parents and parent surrogates(Warnat, 1978). Cole and Dunn(1977) extended their suggested inservice activities to include the superintendent, his administrative staff, the director of pupil personnel, school psychologists, building principals, and teachers appointed to serve on diagnostic teams. It was stated that these persons should become acquainted with the basic components of the law and its key points.

Haphazard discussion of P.L. 94-142 will not lead to appropriate implementation of the law. Abeson and Zettel (1977) point out that too frequently discussions of P.L. 94-142 are based on misinformation or misinter-

pretation and there should be a closer alignment of all educators a goal that is desirable so all children can receive an appropriate education.

Purpose

The purpose of this paper was to identify key terms associated with Public Law 94-142 and to orchestrate them into a conceptual framework. The material is designed to facilitate the understanding of P.L. 94-142 in a logical and conceptual fashion. The ultimate goal of the material is to encourage full implementation of the new law.

Procedures

The procedures for this study entailed (1) a review of the literature relative to P.L. 94-142, (2) a formulation of terms, (3) validation of terms, (4) identification and modification of a conceptual framework for providing services for the handicapped, and (5) rating the terms relative to their association with the concepts. A brief discussion of these measures are provided.

Terms

Relevant literature on P.L. 94-142 was examined and terms thought to be essential to the provision of services to the handicapped were identified. One hundred fourteen terms were identified, with space for terms to be added, and placed on a rating scale. Directions on the scale requested raters to indicate the extent to which they felt the terms were associated with or mentioned in reference to P.L. 94-142 by circling a number from 5-very much to 1-very little, or 0-not applicable. The rating scale was administered to college professors and undergraduate and graduate students in special education. The 99 terms with highest average rating were used to compile the list of terms for this study.

Conceptual Framework

Several frameworks for providing services for the handicapped were investigated. The one selected as a base for arrangement of the 99 terms was that as presented by Evans and Hall (1978). Evans and Hall describe their product as a process model for the delivery of special education and related services. They outline specific criteria for identification, evaluation, placement, instruction, and mediation and due process.

The proposed model (conceptual framework) has one dimension in addition to that as presented by Evans and Hall. That dimension is and administration component. It was felt that this dimension was necessary to embody the concepts relative to P.L. 94-142 that could not be meaningfully contained in the components of any known existing model.

Once the components of the proposed framework had been established, a second scale was designed for raters to indicate the category (administration, identification, evaluation, placement, instruction, mediation/due process, or not applicable) in which the 99 terms would be most associated. Special education professors and students served as raters.

Terms with a clear majority of ratings in a cell were placed in the said category. Terms without a majority of ratings in any one cell were placed in categories with high concentrated ratings. A number in parenthesis following a term in the tables indicates the rank, by ratings, for the term.

Data Collected

The specific objective for the study was to identify key terms closely associated with P.L. 94-142 and to weave them into a conceptual framework for providing services for the handicapped. By searching relevant litera-

ture for key terms and using personnel in the area for validation purposes, it was possible to generate a list of 99 terms thought to be closely associated with the law. These terms are presented in Table I in the shape of an S (symbolizing Special education). They are arranged in alphabetical order for convenience of the user.

It was noted that certain criteria must be met to properly serve the educational needs of handicapped children. Patterning after a service model by Evans and Hall and adding an administration parameter, a modified conceptual framework for providing services to the handicapped was delineated (see Table II). By having college professors and students to rate the association of the 99 terms with the six service areas, it was possible to couch them into the six categories. The terms are presented in association with criterion service areas in Tables III, IV, V, VI, VII, and VIII.

It can be observed that the 99 terms were well distributed among the six components in the model. The numbers by component were (1) administration - 25, (2) identification - 19, (3) evaluation - 19, (4) placement - 19, (5) instruction - 18, and (6) mediation/due process - 24. Approximately one-fourth (25) of the terms had high enough ratings in more than one cell to justify their listing under more than one component of the model.

Discussion

The identification of key terms associated with P.L. 94-142 was an attempt to "break down" a complex document into a manageable form. Grouping the terms into six criteria-for-service areas in meeting the needs of the handicapped was an attempt to pave the way for very meaningful understanding of the law.

How the terms and conceptual framework are used should depend on the target group. For example, general administrators may examine the terms

Table I

Ninety-Nine (99) Key Terms

Associated with Public Law 94-142

ACCESS Advisory Panel ages 3 to 18(21) annual goals Appeal Process APPROPRIATE FUNDING ASSESSMENT Audiology availability BEH child find Children in Hospitals CONFIDENTIALITY Congress CORRECTIVE SERVICES COUNSELING SERVICES Dates 9/1/78(80) deaf Department of HEW descriptive teaching Diagnostic Procedures Disability Grouping dissemination of information DUE PROCESS Early Identification eligibility Elimination of Architectural Barriers EQUAL EDUCATIONAL OPPORTUNITY EVALUATION Excess Cost FEDERAL ALLOCATION Free Appropriate Public Education FULL SERVICES goals GUARANTEE Handicapped Children HANDICAPPED CHILDREN ACT Hard of Hearing HOME INSTRUCTION IEP IEP CHECKLIST inservice training institutions instructional objectives INSTRUCTIONAL PROCEDURES Least Restrictive Environment local application local education agency MAINSTREAMING Medical Services mentally retarded Monitoring native language NO EXPIRATION DATE Nondiscriminatory Testing occupational therapy Orthopedically Impaired PARENT pass through Personnel Development physical therapy PLACEMENT Preschool Handicapped Children present level of functioning PRESERVICE TRAINING priorities Private Schools progress reports Compliance PROCEDURAL SAFEGUARDS PSYCHOLOGICAL SERVICES public availability of plan Public Hearing P.L. 94-142 Regular Educators RIGHTS related services Seriously Emotionally Disturbed social work services Special Class SPECIAL EDUCATION special education needs SPECIFIC LEARNING DISABILITIES speech impaired STATE EDUCATION AGENCY State Law STATE PLAN state schools Supportive Personnel TESTING timetable Transportation U.S. Commissioner of Education USOE Visually Imp. Written Notice (Pub. Notice REG CLASS W/hold Payments

Table II

CONCEPTUAL FRAMEWORK FOR

VIEWING TERMS ASSOCIATED WITH P.L. 94-142

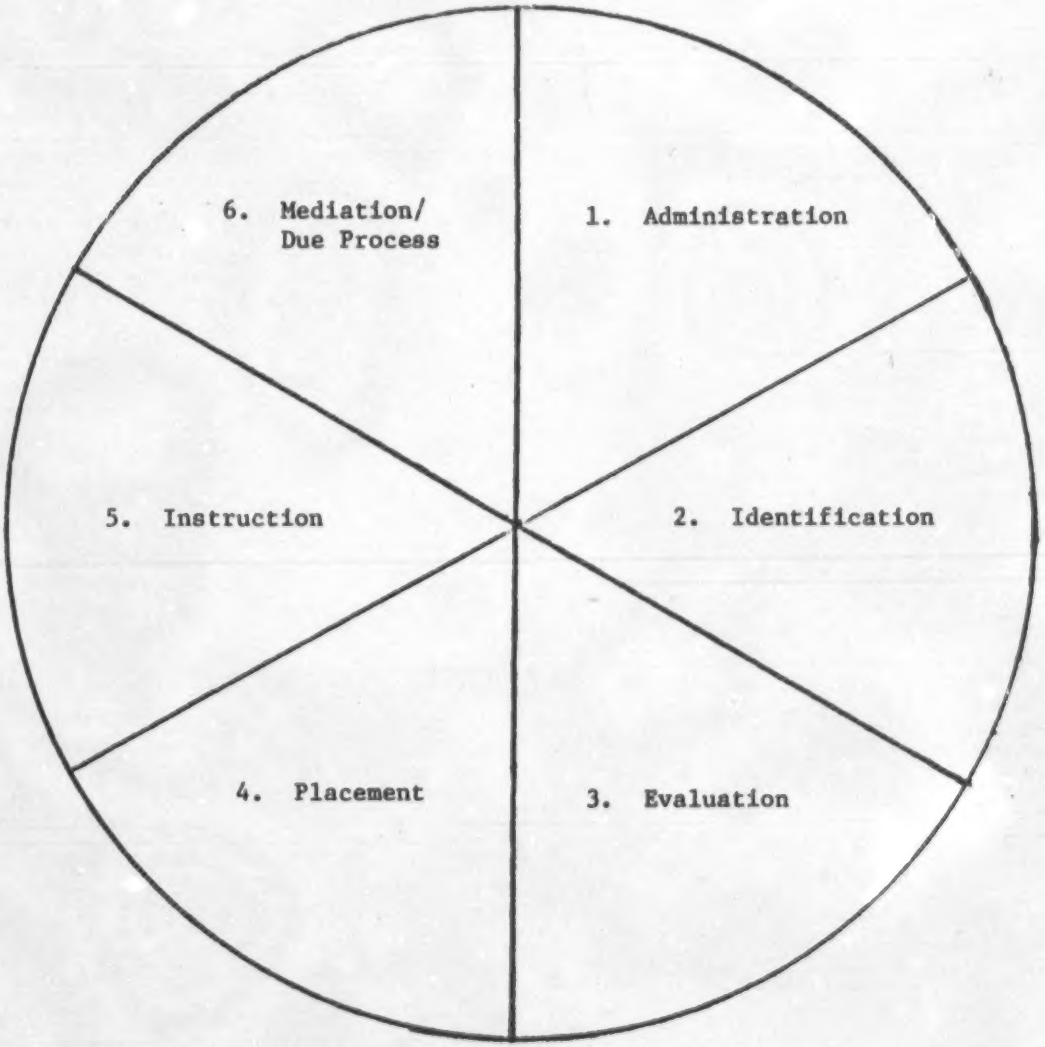

Table III

TERMS ASSOCIATED WITH ADMINISTRATION

1. APPROPRIATE FUNDING
2. AVAILABILITY
3. BUREAU OF EDUCATION FOR THE HANDICAPPED
4. CONGRESS (2)
5. DATES 9/1/78 (80)-(2)
6. DEPARTMENT OF HEW
7. DISSEMINATION OF INFORMATION(2)
8. ELIMINATION OF ARCHIETECTURAL BARRIERS(2)
9. EXCESS COST
10. FEDERAL ALLOCATION
11. LOCAL EDUCATION AGENCY
12. MONITORING
13. PASS THROUGH
14. PERSONNEL DEVELOPMENT
15. PRIVATE SCHOOLS
16. P.L. 94-142(2)
17. STATE EDUCATION AGENCY
18. STATE LAW(2)
19. STATE PLAN
20. STATE SCHOOLS
21 SUPPORTIVE PERSONNEL
22. TIMETABLE
23. TRANSPORTATION
24. U.S. COMMISSIONER OF EDUCATION
25. USOE

Table IV

TERMS ASSOCIATED WITH IDENTIFICATION

1. AGES 3 TO 18(21)
2. AUDIOLOGY
3. CHILD FIND
4. DEAF
5. DISABILITY GROUPING(2)
6. EARLY IDENTIFICATION
7. HANDICAPPED CHILDREN
8. HARD OF HEARING
9. LOCAL APPLICATION
10. MEDICAL SERVICES(2)
11. MENTALLY RETARDED
12. NONDISCRIMINATORY TESTING
13. ORTHOPEDICALLY IMPAIRED
14. PARENT(2)
15. PRESCHOOL HANDICAPPED CHILDREN
16. SERIOUSLY EMOTIONALLY DISTURBED
17. SPECIFIC LEARNING DISABILITIES
18. SPEECH IMPAIRED
19. VISUALLY IMPAIRED

Table V

TERMS ASSOCIATED WITH EVALUATION

1. ACCESS
2. ASSESSMENT
3. AUDIOLOGY(2)
4. CORRECTIVE SERVICES
5. COUNSELING SERVICES
6. DIAGNOSTIC PROCEDURES
7. GOALS(2)
8. IEP CHECKLIST
9. MEDICAL SERVICES
10. NATIVE LANGUAGE
11. NONDISCRIMINATORY TESTING
12. OCCUPATIONAL THERAPY
13. PRESENT LEVEL OF FUNCTIONING
14. PRIORITIES
15. PROGRESS REPORTS
16. PSYCHOLOGICAL SERVICES
17. SOCIAL WORK SERVICES(2)
18. SPECIAL EDUCATION NEEDS(2)
19. TESTING

Table VI

TERMS ASSOCIATED WITH PLACEMENT

1. AVAILABILITY(2)
2. CHILD FIND(2)
3. CHILDREN IN HOSPITALS
4. DISABILITY GROUPING
5. ELIGIBILITY
6. FREE APPROPRIATE PUBLIC EDUCATION
7. GUARANTEE(2)
8. IEP(2)
9. INSTITUTIONS
10. LEAST RESTRICTIVE ENVIRONMENT
11. LOCAL APPLICATION(2)
12. LOCAL EDUCATION AGENCY(2)
13. MAINSTREAMING
14. PLACEMENT
15. REGULAR CLASS
16. SOCIAL WORK SERVICES
17. SPECIAL CLASS
18. SPECIAL EDUCATION
19. SPECIAL EDUCATION NEEDS

Table VII

TERMS ASSOCIATED WITH INSTRUCTION

1. ANNUAL GOALS
2. DESCRIPTIVE TEACHING
3. DIAGNOSTIC PROCEDURES(2)
4. DISSEMINATION OF INFORMATION
5. EQUAL EDUCATION OPPORTUNITY(2)
6. FULL SERVICES
7. GOALS
8. HANDICAPPED CHILDREN(2)
9. HOME INSTRUCTION
10. IEP
11. IEP CHECKLIST(2)
12. INSERVICE TRAINING
13. INSTRUCTIONAL OBJECTIVES
14. INSTRUCTIONAL PROCEDURES
15. PHYSICAL THERAPY
16. PRESERVICE TRAINING
17. REGULAR EDUCATORS
18. RELATED SERVICES

Table VIII

TERMS ASSOCIATED WITH MEDIATION/DUE PROCESS

1. AVISORY PANEL
2. APPEAL PROCESS
3. CONFIDENTIALITY
4. CONGRESS
5. DATES 9/1/78(80)
6. DUE PROCESS
7. ELIMINATION OF ARCHITECTURAL BARRIERS
8. EQUAL EDUCATION OPPORTUNITY
9. FULL SERVICES(2)
10. GUARANTEE
11. HANDICAPPED CHILDREN ACT
12. NO EXPIRATION DATE
13. PARENT
14. COMPLIANCE
15. PROCEDURAL SAFEGUARDS
16. PUBLIC AVAILABILITY OF PLAN
17. PUBLIC HEARING
18. PUBLIC NOTICE
19. P.L. 94-142
20. RIGHTS
21. STATE LAW
22. STATE PLAN(2)
23. WITHHOLDING PAYMENT
24. WRITTEN NOTICE

in the administration category at regular intervals to keep abreast of their role in meeting the needs of handicapped children. Directors of special education may want to scan the entire framework to maintain a feel for the entire educational process. Teachers may have primary interest in the regulations associated with the instructional component. Of course one might envision what other group entities may profit from use of the material.

The material may be used as an introduction to the provisions of P.L. 94-142, as a review, or as a reference for more detailded study of the law. Undergraduate students may be encouraged to define the terms to gain understanding of them. Graduate students may be encouraged to discuss the provisions of P.L. 94-142 in relationship to local and state practices for serving handicapped children.

Summary

The provision of appropriate educational services for handicapped children, as stipulated by P.L. 94-142, requires involvement from such persons as parents, administrators, teachers, paraprofessionals, support personnel, and the children themselves. Considering the complexity of the law and number of persons involved in its implementation, this study was designed to assist in understanding the law.

Ninety-nine key terms associated with P.L. 94-142 were identified and formulated into a conceptual framework. Components of the framework were administration, identification, evaluation, placement, instruction, and mediation/due process.

It is felt that material contained in this presentation can be used with diverse populations in a variety of ways to further understanding and implementation of P.L. 94-142.

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